

PURPOSE To establish a consistent method of determining family size for WIC income eligibility.

A. POLICY

1. At the certification for WIC benefits, applicants shall be interviewed to determine their family's size. The WIC Income Eligibility will be based on the family's Total Family size, which is comprised of the existing family plus the expected number of infants. WIC family size (+) plus the number of infants expected = Total WIC Family size.
2. **Unborn Child:** An unborn child (or expected infants/neonate/fetus) is to be included as a member of a family for the purpose of determining income eligibility.
3. **Child or Infant:** The child or infant is counted in the family size of the parent or guardian with whom he or she resides the majority of time.
 - a. **Adopted Child or Infant:** When a family has an adopted child, or a child for whom a family has accepted legal responsibility, the child is counted in the family with whom he/she resides.
 - b. **Joint Custody:** If the child is involved in a shared, or joint, custody situation, he/she is included in the family unit if the child resides with the enrolling parent and the parent does not pay child support for that child.
 - c. **Foster Child:** A foster child shall be considered a one-member family (See Policy 2.11 Foster Child Eligibility).
4. **Resident of an Institution or Group Home/School** (domestic violence shelters, drug treatment centers, group homes, half-way houses, etc): If the individual's support is being paid for by income of the family then that individual should be counted in the family. An individual whose support is paid by the state or other entity other than the family is not considered a member of the family for WIC income eligibility purposes.
5. A WIC family living in a shelter for the homeless, maternity home, or other group residence would be considered a separate family from other residents.

B. GUIDANCE

1. The most important rule to apply to all applicants, including minors, is that a family must have its own source of income. The local agency may decide whether the reported income is adequate to sustain the family, or they truly are members of another family.

Adequacy of the income, not whether the unit receives any in-kind benefits, should be the determining factor. If the client indicates that he/she is receiving food, shelter, clothing from someone who is expecting no work or payment in return, then the applicant is not an independent family. The income of the support entity must be included in the family.

An applicant who indicates that he/she must pay or work for the food, shelter and clothing required to support the family may be considered a separate family, even if the only payment is “in kind”.

C. DEFINITIONS

Family: A family is composed of a person or groups of persons, related or non-related, who usually (although not necessarily) live together and whose income and living expenses are shared. It is possible for separate families to reside under the same roof. In determining the composition of the family, local agencies will need to exercise judgment regarding the economic dependence or independence of each client.

Reference:

7CFR Part 246.2
7 CFR Part 246.7
USDA FNS Instruction 803-3

Cross-references:

2.05 Income Determination
2.08 Foster Child Eligibility